

Notice of Allowability

Application No.

09/776,377

Examiner

Yubin Hung

Applicant(s)

SOREK ET AL.

Art Unit

2625

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to amendment filed July 8, 2004.
2. ☒ The allowed claim(s) is/are 1-18.
3. ☒ The drawings filed on February 2, 2001 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☐ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

EXAMINER'S AMENDMENT

1. This action is in response to amendment filed on July 8, 2004.
2. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mr. Jeffrey S. Sharp on October 18, 2004.

3. The application has been amended as follows:

Substitute claims 1 and 9 with the following:

1. (Currently Amended) A method for electronic imaging, comprising:
forming an image of a pattern comprising a background color and a non-background color on a plurality of pixels in a color mosaic image sensor, in which each pixel has a filter of a respective color associated therewith;
receiving from each of the plurality of pixels a respective initial signal responsive to the image;
determining the background color of the image ~~responsive to the initial signals;~~

determining the non-background color of the image ~~responsive to the initial signals~~; and

calculating an adjusted signal for each pixel of the plurality of pixels responsive to the initial signal of the pixel and to at least one of the background color and the non-background color and to the respective color of the filter associated with the pixel.

9. (Currently Amended) A method for electronic imaging, comprising:

forming an image of a pattern comprising a first plurality of areas, each area comprising a respective background color and a respective non-background color, on a second plurality of pixels in a color mosaic image sensor, in which each pixel has a filter of a respective color associated therewith;

receiving from each of the second plurality of pixels a respective initial signal responsive to the image;

determining which of the second plurality of pixels correspond to each area responsive to the background color and non-background color of each area;

determining for each area the respective background color of the image responsive to the initial signals;

determining for each area the respective non-background color of the image ~~responsive to the initial signals~~; and

calculating an adjusted signal for each pixel of the second plurality of pixels responsive to the initial signal of the pixel and to at least one of the first ~~plurality of background colors and the first plurality of non-background colors~~ of the area in which the pixel is located and to the respective color of the filter associated with the pixel.

4. Applicant's arguments (see the paper filed July 8, 2004) with respect to amended claims 1 and 10 (P. 10, lines 6-16 and P. 11, lines 15-18); 9 and 18 (P. 11, lines 19-25) have been fully considered and are persuasive. The rejections of claims 1-18 have been withdrawn.

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Yubin Hung whose telephone number is (703) 305-1896. The examiner can normally be reached on 7:30 - 4:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bhavesh Mehta can be reached on (703) 308-5246. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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Patent Examiner
October 27, 2004